

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Committee Substitute for Senate Bill No. 664,
2 Page 3, Section 260.273, Line 44, by inserting after all of said section and line the following:

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4 "442.571. 1. Except as provided in sections 442.586 and 442.591, no alien or foreign
5 business shall acquire by grant, purchase, devise, descent or otherwise agricultural land in this state
6 [if the total aggregate alien and foreign ownership of agricultural acreage in this state exceeds one
7 percent of the total aggregate agricultural acreage in this state]. No such sale, transfer, or acquisition
8 of any agricultural land in this state shall occur unless such sale, transfer, or acquisition is approved
9 by the director of the department of agriculture in accordance with subsection 3 of this section. No
10 person may hold agricultural land as an agent, trustee, or other fiduciary for an alien or foreign
11 business in violation of sections 442.560 to 442.592.

12 2. Any alien or foreign business who acquires agricultural land in violation of sections
13 442.560 to 442.592 remains in violation of sections 442.560 to 442.592 for as long as he or she holds
14 an interest in the land.

15 3. All such proposed acquisitions by grant, purchase, devise, descent, or otherwise of
16 agricultural land in this state shall be submitted to the department of agriculture to determine
17 whether such acquisition of agricultural land is conveyed in accordance with [the one percent
18 restriction on the total aggregate alien and foreign ownership of agricultural land in this state]
19 sections 442.560 to 442.592. The department shall establish by rule the requirements for submission
20 and approval of requests under this subsection.

21 4. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
22 under the authority delegated in this section shall become effective only if it complies with and is
23 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
24 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
25 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
26 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
27 August 28, [2013] 2014, shall be invalid and void.

28
29 442.586. Sections 442.560 to 442.591 shall not apply to agricultural land [now owned]
30 acquired in this state by aliens or foreign businesses prior to the effective date of this section so long
31 as it is held by the present owners or their direct descendants including any trust for the benefit of
32 either and any legal person owned or controlled by either including but not limited to corporations,
33 limited liability corporations, partnerships, and limited liability partnerships, nor to any alien who is
34 or shall take up bona fide residence in the United States; and any alien who is or shall become a bona
35 fide resident of the United States shall have the right to acquire and hold agricultural lands in this
36 state upon the same terms as citizens of the United States during the continuance of such bona fide

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1 residence in the United States; except, that if any resident alien shall cease to be a bona fide resident
2 of the United States, such alien shall have two years from the time he ceased to be a bona fide
3 resident in which to divest himself of such agricultural lands. Any agricultural lands not divested
4 within the time prescribed shall be ordered sold by the court at a public sale in the manner prescribed
5 by law for the foreclosure of a mortgage on real estate for default in payment."; and

6
7 Further amend said bill by amending the title, enacting clause, and intersectional references
8 accordingly.